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Art Unit: 2833

Examiner: León, Edwin A.

Phone: (571) 272-2008

From: Hayden A. Carney
Reg No. 22,653Re: Application No. 10/512,104 ; Filed October 21, 2004
Entitled CONTACT INSERT CARTRIDGE FOR PLUST OF
TRACTOR/TRAILER JUMPER CABLES

File: 49301/P234

I HEREBY CERTIFY THAT THIS PAPER IS BEING FACSIMILE TRANSMITTED TO
THE UNITED STATES PATENT AND TRADEMARK OFFICE ON June 1, 2006.
Jeanette Petzold*Correspondence: Request for Reconsideration and Withdrawal of
"Advisory Action before the Filing of an Appeal
Brief"

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Jeannette Petzold

Appl No. : 10/512,104 Confirmation No. 6845
Applicant : John D. Jacobs
Filed : October 21, 2004
Title : CONTACT INSERT CARTRIDGE FOR PLUGS OF
TRACTOR/TRAILER JUMPER CABLES

TC/A.U. : 2833
Examiner : León, Edwin A.

Docket No. : 49301/P234
Customer No. : 23363

**REQUEST FOR RECONSIDERATION AND
WITHDRAWAL OF "ADVISORY ACTION BEFORE
THE FILING OF AN APPEAL BRIEF"**

Mail Stop Amendment
Commissioner for Patents
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June 1, 2006

Commissioner:

Applicant requests that the Office reconsider and withdraw its Advisory Action of May 19, 2005, in this application. More specifically, applicant requests that the Office withdraw its rulings, stated in the Advisory Action, that the amendments made to the claims (namely, claims 1, 31 and 32) by the Amendment filed April 27, 2006 raise new issues and do not place the application in better form for appeal.

The Advisory Action grossly and unfairly overstates the extent of the amendments made to claim 1 in response to the final rejection. Such overstatement is shown in the following annotated quotation of the Note to the Advisory Action's box 3a) in which words added by that

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amendment are shown in bold face and words which appeared in claim 1 before that amendment are italicized:

Continuation of 3. NOTE: The newly presented limitations "**for engagement [sic] with corresponding external contacts of a second connector moiety upon mating of the first and second moieties to make a selectively separable multi-function electrical connection of a multi-conductor cable between a tow vehicle and a towed vehicle**", "**common cartridge contact member carried by the body**", "**noncommon cartridge contact member carried by the body**" and "**the cartridge body being sized and arranged to be insertable into and securable within the first connector moiety housing in a selected relation to the housing with each cartridge contact member in conductive engagement within the housing with a respective cable conductor termination contact at one end of the cartridge contact member and with the other end of the cartridge contact member disposed adjacent the open end of the housing so as to be engaged with a corresponding external contact of the second connector moiety upon mating of the first and second moieties**" and the newly presented Claims 31-32 would require further search and consideration.

Applicant submits that the amendments to claim 1 do not raise new issues, that claims 31 and 32 (newly presented independent claims) were presented in a good faith effort to advance the present prosecution and to identify allowable subject matter, and that the amendments to claim 1 and the presentation of claims 31 and 32 in fact place the application in better form for appeal. Reasons in support of applicant's positions are set forth briefly below.

Applicant believes that a principal issue raised by the Office's first action and its final rejection in this application, and addressed by applicant's responses to those actions, is whether the references applied by the Office disclose or suggest a "multi-contact cartridge" as defined in claim 1 as amended on November 3, 2005 and as further amended on April 27, 2006. Both of the first actions and the final rejection herein assert that Shaffer et al. '875 discloses a contact

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cartridge (14). Applicant has consistently contended that such assertion by the Office is incorrect, and applicant's amendments to claim 1 have been intended and crafted to support that contention. The issue has been and continues to be whether Shaffer et al. '875 discloses or suggests a multi-contact cartridge and whether claim 1 patentably defines over Shaffer et al. '875 and Stoner, neither of which disclose a multi-contact cartridge module for use as a component of an electrical connector. Applicant's response to the final rejection addressed that issue and did not raise other (new) issues.

A brief comparison of claim 1 as amended on April 24, 2006 (in response to the final rejection) and claim 1 as amended on November 3, 2005 (in response to the first action) reveals that the recent amendments to that claim are principally in the introduction to the claim, and in the last subparagraph of the claim which describes how the cartridge structure co-acts and cooperates with the structure described in the claim's introduction. The structure of the multi-contact cartridge is described in the second, third and fourth subparagraphs of claim 1, and the amendments to those subparagraphs are minimal in extent. Thus, the recent amendments to claim 1 do not add new structural elements to the claims, and so do not raise "new issues" which alter the direction or focus of the present prosecution.

On studying the Office's first action, applicant perceived that the Office did not correctly understand the significance of "cartridge" as used in applicant's specification and claims, and that the applied references do not disclose or suggest any cartridge which carries the several working contacts of a multi-contact electrical connector and which is removable as a module from a connector body as a set to enable worn or damaged contacts to be replaced quickly and easily. Applicant's response to that first action included dictionary definitions of "cartridge." The final rejection is perceived to have discounted those definitions, if not ignored them. The response to the final rejection amended claim 1 in ways intended to assist the Office in understanding the significance of "cartridge" as used in that claim and in perceiving that Shaffer et al. '875 does not disclose a contact cartridge.

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The recent presentation of new claims 31 and 32 in the application was accompanied by remarks (pages 15 and 22-23) which describe what things those claims have in common with claim 1 and how they differ from claim 1. Clearly, claims 31 and 32 have been presented in good faith in an effort to advance this prosecution to allowance, and they should be so viewed by the Office. Applicant is unaware of any content of 37 CFR which prohibits the presentation of new claims after final rejection without cancellation of an equal number of finally rejected claims.

Applicant believes that claim 1 (as last amended) and claims 31 and 32 in fact place the application in better form for appeal. Entry of the recent amendments for purposes of appeal is requested.

Applicant believes that the art of record in this application is such that a further search is not necessary or, if made, will not develop further applicable references.

Interview Request

Applicant's response to the final rejection included (page 23) a conditional request for an interview in this application. Applicant confirms and repeats that request.

Applicant believes that an interview in this application will be useful to advance the prosecution and can result in agreement about the allowability of claims 1, 31 and 32. The undersigned would bring to the interview a product according to the invention and related other hardware so that the structural and functional differences between the subject matter of claim 1 and the applied references can be demonstrated. Also, an interview will be useful to obtain agreement about what the applied references do and do not disclose.

Prematurity of the Final Rejection

In light of the foregoing, applicant believes that the finality of the action of January 24, 2006, is premature, and requests that the finality of that action be withdrawn.

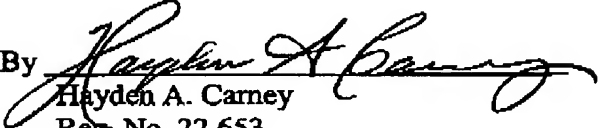
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Other Matters

The Advisory Action was issued by use of Form PTOL-303. It appears that box 1 b) showed have been "checked" rather than box 1 a). Also, it appears that box 3 d) should not have been checked as no Notice of Appeal has been filed in this application.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By


Hayden A. Carney
Reg. No. 22,653
626/795-9900

HAC/mee

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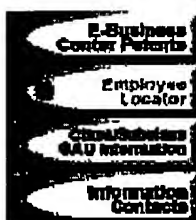
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